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PATENT & TRADEMARK
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ELI LILLY AND COMPANY

By Kimberly Dunham

Date November 20, 2001

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Skatrud, et al.) Group Art Unit:
) 1645
Serial No. : 09/758,828) Attention:
Filed : January 11, 2001) Branch Manager
For : MULTIPLE DRUG RESISTANCE GENE)
) AtrD OF ASPERGILLUS NIDULANS
Docket No. : X-11766B)

COPY OF PAPERS
ORIGINALLY FILED

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES

Assistant Commissioner for Patents

Washington, D. C. 20231

Sir:

In response to the "Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures" dated October 9, 2001 (copy enclosed), the following is provided to conform the above-referenced application with the requirements of 37 C.F.R. §1.821 through §1.825.

In lieu of providing a duplicate computer readable Sequence Listing in the instant application, pursuant to 37 C.F.R. §1.821(e), Applicants refer to and rely on a computer readable Sequence Listing provided to the U.S. Patent and Trademark Office in the parent application to the instant case, which is identified as attorney docket X-11766, United States Serial No.8/996,545, filed December 23, 1997. The present application is a division of said parent application.

It is respectfully submitted the contents of the paper version of the Sequence Listing provided in the instant specification, filed December 23, 1997, and the computer

Serial No. 09/758,828

readable form of the Sequence Listing filed in the parent application, X-11766, as referenced above are identical.

It is further submitted that the incorporation of the computer readable form of the Sequence Listing from X-11766 into the instant case does not represent new matter.

Respectfully submitted,



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